

REMARKS

Claims 1-25, all the claims pending in the application, stand rejected. The Examiner has cited new art in framing the rejections that are subsequently discussed, because of the strength of the arguments previously submitted in our amendment filed on May 27, 2003. Applicant wishes to note for the record that the Office Action Summary incorrectly lists the present action as responsive to a communication filed on May 27, 2001, rather than 2003.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 17, 19 and 23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Miles et al (6,102,406). This rejection is traversed for at least the following reasons.

As explained in the previous Amendment, the present invention is concerned with games that are executable in multiple stages. Such games often are so complicated that players require assistance in mastering the final stages. Conventionally, clues for mastery of the games are obtained from mastery books that have been prepared by the game vendors or others and sold separately from the games. As is well known in the art, the "mastery information" is gleaned from the books by game participants, the books often being organized into chapters or sections that correspond to the various levels of the game. Thus, a participant can choose to read the clues or not read them in playing the game. In this sense, the clues are available independent of the execution of the game by the processor.

Rather than providing such mastery information in hard copy, the present invention uses hardware to distribute "mastery information." In particular, a mastery support apparatus has the capability of making clues efficiently available as soft copy to game participants at remote sites. The information may be distributed by the mastery support apparatus to individual participants on the basis of the current stage being played in a given multi-stage game by the participant. In particular, the mastery support apparatus provides mastery information with regard to the current one of the multiple stages at which the participant is playing.

The game mastery support apparatus 300 is illustrated in Fig. 5 and its description is provided beginning at page 14. Fig. 6 provides an illustration of a mastery information table that

is stored in the table area 350 of the apparatus 300. The apparatus is coupled to a plurality of terminal devices 100 (which may be a portable cellular phone or other device having a mobile function, as explained at page 22) via a communications network 200, as illustrated in Fig. 1. A similar arrangement is illustrated in Figs. 13 and 14, where a mastery information for plural games, based on game titles, may be provided from a centralized game mastery support device 300 to plural remote terminals 100 via the Internet.

The significant advance made by the Applicants in the present invention is that “mastery information,” which is well known in the art to provide hints or tips for proceeding through a game stage, is made available from a central device in soft form. Significantly, the mastery information is not part of the game software instruction set. Also, it is not provided as an integral part of the command and response protocol for execution of the steps of the game. The sole focus of this device is to provide conventional “mastery information” that optionally may be read, understood and used by a game participant. The hints do not affect the game directly, other than to advise the player with respect to techniques or strategies that may be used in his or her execution of the game.

Miles et al

The newly cited patent to Miles et al relates to an Internet-based scavenger hunt in which participants are required to answer questions using information obtained from one or more web sites. As explained in the specification beginning at col. 4, line 26, the modified Internet scavenger hunt is intended to entice a participant to visit a host location for the scavenger hunt. The participant is required to register at the host location. Thereafter, all further execution of the game is based upon communication between a participant and the host location, including acceptance of the rules and questions regarding one or more website locations. As part of the game, the participant is provided with a first question and clues regarding one or more locations where an answer may be found. The clues are not mastery information, but rather an integral part of the game. They are like instructions that describe a required next step. Once the participant finds the required information on the Internet or other physical locations, and answers a question, the information is entered into a database maintained by the host site. Once the answer is verified as correct, the next question is posed, along with any relevant clues, as a

“question/clue set for a game” as explained at col. 10, line 15. Again, clearly this is an integral part of the game itself, and not “mastery information” as that term is used by applicant and those skilled in the art.

In the present invention, the “mastery information” is not part of the game process. However, it also is not independent of the game, since the stages of the game may be tracked by the game mastery support device, in accordance with several embodiments of the invention. The rejected claims are expressly directed to a game mastery support apparatus which supports mastery of an executable multi-step game. The apparatus comprises a distribution device which distributes mastery information to a terminal apparatus having a game execution function. The distribution device is not directed to the distribution of the game itself or even to the provision of control information related to the operation of the game.

In order to clarify the invention in light of the foregoing explanation, the rejected claims 1, 17, 23 and 24 have been amended to define “mastery information” as information “which advises a player how to master a game” and further specifies that the execution of the multi stage game is “operationally independent of said mastery information.” Thus, the rejection should be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 4-12, 18, 20, 24 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miles in view of Lee (6,475,089). This rejection is traversed for at least the following reasons.

First, the deficiencies of Miles in anticipating the claimed invention has been demonstrated. Lee does not remedy these deficiencies, as Lee does not concern the transmission of “mastery information” at all. As previously explained in the Amendment filed on May 27, 2003, Lee concerns a game system with a plurality of game devices 2a, 2b, which are connected to a host computer 3. Each game device can issue requests for a game and receive and return information on an opponent selected by the host. After obtaining opponent information, the game devices are cut off from communication with the host and a competition type game is implemented between the game devices 2a and 2b by way of a communication line 5a. Nothing

in the disclosure concerns "mastery information." Indeed, nothing concerns the provision of any information to individual games from a central support apparatus. Further, nothing concerns a support apparatus which provides mastery information on the basis of the stage at which individual executable multi stage games are being executed at individual terminals.

Second, the Examiner admits that Miles lacks a disclosure of a ranking information ~~distribution device that includes an accumulator that accumulates information from players, a~~ determining device that determine a rank of a player with reference to the accumulated information and a distributor that distributes ranking information pertaining to the determined rank. The Examiner looks to Lee for a teaching that a host computer can receive game results and transmit back to remote terminals information on grades, ranking, etc. However, this operation has nothing to do with the transmission of mastery information or the interaction between a central apparatus for distributing mastery information and remote game devices that execute a multi stage game, with the mastery information being provided on the basis of the current stage of the game. Thus, the basic features of the present invention are not taught in the combination of Lee and Miles.

Third, this combination would not be reasonable to one of ordinary skill in the art. :Lee is clearly concerned with having remote terminals operate independently, after a host has established a competition between two terminals. Miles, on the other hand, does not involve a competition between players. Moreover, even if participation in a prize-based scavenger hunt is considered a competition, all processing is conducted through the host processor. There is no direct competition between terminals. Thus, the features of Lee with regard to transmitting game results back to a host computer and transmitting information from the host computer to the terminal during game execution are inapplicable to the system of Miles since in Miles et al, the host computer always has such information. Thus, the rejection should be withdrawn.

Claims 13-16, 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miles in view of Lee and further in view of Sporgis (6,320,495). This rejection is traversed for at least the following reasons.

Amendment under 37 C.F.R. § 1.116
Application No. 09/919,807

The Examiner relies upon his earlier analysis of Miles and Lee and acknowledges that Miles lacks a disclosure of a terminal apparatus that is a portable device. The Examiner looks to Sporgis for a teaching in Fig. 1 that a player may be equipped with a mobile wireless communication device in communication with a game master computer system. The Examiner considers it obvious to adapt Miles to a portable arrangement as shown in Sporgis. Notwithstanding this assertion, the deficiencies of the prior art in failing to teach distribution of mastery information, and the incompatibility of Miles and Lee would prevent this rejection from being considered reasonable. Thus, the rejection should be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

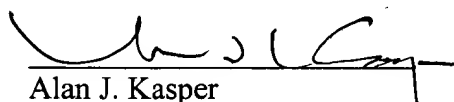
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